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Agriculture

Forest  
Service

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Subject: ADF&G Helicopter Landings for Chinook Surveys in the Stikine-LeConte  
Wilderness

REPLY DUE AUGUST 15, 2016

To: Forest Supervisor

This letter concerns continuing the authorization to the Alaska Department of Fish and Game (ADF&G) for helicopter landings to support salmon surveys in the Stikine-LeConte Wilderness for the next five years (CY 2017-2021). Their special use authorization, issued in February of 2012, is set to expire in December 2016, and they have requested continuing their activities.

Law and Policy: Section 1315(b) of the Alaska National Interest Lands Conservation Act of 1980, (ANILCA), allows for the temporary use of motorized equipment for access in Wilderness for fisheries management. The Forest Service Manual, Alaska Wilderness Supplement (R10 Supplement 2300-2008-2 (11/25/2008), section 2326.04c (7)), states the Forest Supervisor is responsible for approving the temporary use of motorized equipment related to fisheries research, management and enhancement projects in Wilderness.

NEPA Analysis and Findings: In 2016, an interdisciplinary team (IDT) on the Wrangell Ranger District reviewed the existing environmental analysis and past Decision Memos for ADF&G helicopter landings in the Stikine-LeConte Wilderness for Chinook surveys. The team reviewed the conditions and uses on the ground and found the helicopter landings for salmon surveys still fit within the past environmental analysis and decisions. The interdisciplinary team identified no significant impact on the wilderness resource from the helicopter landings. It was noted that the presence of Wilderness could be an extraordinary circumstance in environmental analysis. As the legislation that designated the Wilderness provides for the temporary use of motorized equipment for access in Wilderness for fisheries management, an extraordinary circumstance is null. Sensitive, Threatened and Endangered species considerations were updated by the IDT to include all current listings for the area. An invasive plants risk assessment was also completed for the helicopter supported chinook survey project.

According to Forest Service Handbook 1909.15-2012-3 Section 18.3, Reconsideration of Decisions Categorically Excluded from Environmental Documentation, no further National Environmental Policy Act (NEPA) action will be taken if an interdisciplinary review shows that the proposed action still fits within the identified category, and no extraordinary circumstances exist. As the IDT found the proposal to continue the helicopter landings for Chinook surveys still fits within the previous decisions, and no extraordinary circumstances exist, a new NEPA decision is not being issued. The action continues to be categorically excluded from documentation in an environmental impact statement or environmental assessment. The action still falls within a category established by the Chief of the Forest Service, and listed in Forest Service Handbook 1909.15-2014-1 (05/25/2014), Section 32.11(3). That category includes the approval of inventories, research activities and studies, such as resource inventories and routine



data collection when such actions are clearly limited in context and intensity, and is cited as category 7 CFR 1b.3(a)(3). This action falls within a category of actions which are not subject to administrative review (objection process) opportunities. Implementation of this decision may occur immediately.

The Forest Supervisor continues to be the Deciding Official on approving the temporary use of motorized equipment related to fisheries research, management and enhancement projects in Wilderness.

Past Helicopter Use: ADF&G has been using helicopters to support their foot surveys of Chinook salmon streams in the Wilderness since about 1973. The Stikine-LeConte Wilderness was designated by ANILCA in 1980. The Forest Service has authorized ADF&G's helicopter landings in Wilderness along the South Fork of Andrew Creek since 1996. During the past twenty years, ADF&G's permit has authorized up to six helicopter landings per year for salmon surveys. In 2011, 2012 and 2013 four landings per year were requested by ADF&G, and authorized by the Wrangell District Ranger. In 2011 no helicopter landings were reported by ADF&G. In 2012 ADF&G reported two landings, and in 2013 ADF&G reported three helicopter landing in the Wilderness. In 2014 and 2015 no helicopter landings were requested, approved, or reported because ADF&G was is testing a new survey method that does not require helicopter support. The request to continue the permitted use is recognizes that actual helicopter landings in the Wilderness may not be needed for Chinook surveys.

Past NEPA: In July 1996 the Tongass NF, Stikine Area, Forest Supervisor issued a Decision Memo (DM) authorizing ADF&G helicopter landings for foot surveys of the South Fork of Andrew Creek in Wilderness for Chinook salmon surveys. That DM categorically excluded the action according to the Forest Service Handbook 1909.15, 31.11(3). This category includes inventories limited in context. In April 1997, the Forest Supervisor issued another DM authorizing ADF&G to continue helicopter access for foot surveys of salmon in the same creek in Wilderness. That DM categorically excluded the action according to FSH 1909.15, 31.2(3). That category included continuation of minor special uses. In 2002, 2007 and 2011 interdisciplinary teams on the Wrangell Ranger District reviewed the environmental analysis, and the Wrangell District Ranger found the activity continued to fit within the FSH 1909.15, 31.11(3) and that no extraordinary circumstances exist.

#### Minimum Requirement Analysis

The Forest Service Manual, Alaska Wilderness Supplement (R10 2300-2008-2 (11/25/2008), section 2322.03 (6)), states that all management decisions affecting wilderness must be consistent with the minimum requirement concept in the Wilderness Act. A Minimum Requirements Analysis (MRA) using a Minimum Requirement Decision Guide or other similar two-step process is to be used. The minimum requirement concept will be applied to the prohibited uses in Section 4(c) of the Wilderness Act unless the uses are authorized under ANILCA.

In September 2015 the Wrangell Ranger District received a proposal from ADF&G to continue the use of a helicopter to access the South Fork of Andrew Creek. A helicopter would continue to

be used to transport ADF&G personnel to upper Andrew Creek who then walk out along the stream bank doing Chinook surveys. Andrew Creek is within the Stikine-LeConte Wilderness. Chinook salmon that are part of the US/Canada Salmon treaty spawn within Andrew Creek.

In August 2014 ADF&G reported they would not make any landings in the Andrew drainage for that year, and that the Andrew Creek survey would transition from a helicopter supported survey to a total foot survey. 2014 was the trial year for the new survey method. In 2015 no helicopter landings were again reported as ADF&G continued to test the applicability of foot surveys alone.

As far as the minimum requirement for future permitted helicopter landings in Andrew Creek, there are two major points in regard to the surveys. First, ADF&G has not yet determined the preferred survey method, and when/if conditions would ever require a helicopter again. ADF&G continues to propose to conduct both survey methods for head to head comparison. Thus ADF&G would still require a permit for helicopter landings. The second is that in any given year, high water conditions can make a foot survey extremely difficult when considering the amount of ground needed to be walked. With those conditions the survey could only be conducted accurately with a helicopter. Thus ADF&G continues to request a permit for helicopter landings in Wilderness at the minimum requirement.

ANILCA Section 1315(b) allows for the temporary use of motorized equipment for access in Wilderness for fisheries management. The Forest Service Manual, Alaska Wilderness Supplement (R10 Supplement 2300-2008-2 (11/25/2008), section 2326.04c (7)), states the Forest Supervisor is responsible for approving the temporary use of motorized equipment related to fisheries research, management and enhancement projects in Wilderness. The temporary limited use of a helicopter has been included in the past.

Forest Service Manual, R-10 Supplement 2300-2008-2 (11/25/08), 2323.35b Manipulation of Fish Habitat states "Section 1315(b) of ANILCA recognizes a goal of restoring and maintaining fish production in the State of Alaska to optimum sustained-yield levels and in a manner which adequately assures protection, preservation, enhancement, and rehabilitation of the wilderness resource. To meet this goal, fisheries research, management, enhancement, and rehabilitation activities may be permitted within National Forest wilderness and wilderness study areas." "Reasonable access, including the temporary use of motorized equipment, shall be permitted for research, rehabilitation, and enhancement activities subject to reasonable regulation to maintain the wilderness character, water quality, and fish and wildlife values of the area."

The 1996 and 1997 interdisciplinary teams on the Wrangell Ranger District analyzed the three drainages ADF&G had proposed for helicopter access within the Stikine-LeConte: (1) North Arm Creek; (2) a tributary to the Ketili River (locally known as Alpine Creek); and (3) South Fork of Andrew Creek. Chinook salmon spawn in approximately one mile of North Arm Creek; approximately one and one half miles of Alpine Creek; and approximately five miles of the South Fork of Andrew Creek. It was determined fish surveys of North Arm and Alpine Creeks could be conducted within a reasonable amount of time without helicopter support. It was also determined that hiking the round trip of Andrew Creek could not be completed in one day; and that camping along a stream with spawning fish and a high concentration of bears was unsafe and should be avoided. The Stikine Area Forest Supervisor determined the following minimum



helicopter use for salmon surveys: Helicopters may be used within the South Fork Andrew Creek drainage to transport crews from near the bottom of the survey area and land them near the top of the survey area. The Chinook salmon surveys include approximately five miles of the South Fork of Andrew Creek. Crews will walk down stream counting and/or capturing fish for sampling and tag recovery. Crews will be picked up by boat near the bottom of the survey area.

Following are stipulations that will be included in ADF&G's special use permit for helicopter supported fish surveys in order to ensure protection of the wilderness, sensitive plants, and wildlife resources.

1. Helicopter Use. A maximum of up to six helicopter landings are authorized in the South Fork of Andrew Creek drainage to transport crews to the upstream permit area. Up to three surveys may occur annually, usually during August. The specific dates depend on weather, fish migrations and river conditions. Only the minimum number of helicopter landings will be approved to access sites that cannot be safely reached by other reasonable means.

Plans for helicopter use, including number of landings, locations, and a time schedule, as well as revisions of such plans, must be prepared by the holder and approved in writing by the Wrangell District Ranger prior to the helicopter landings.

2. Landing Zones. Only natural openings will be used for helicopter landings and no vegetation will be cut or removed.
3. Sensitive Plants. ADF&G is required to conduct a survey of sensitive plants at the landing zones used. The survey will determine the presence of all sensitive plants as listed by the Forest Service. A list of Sensitive Plants, dated 2011, is attached to, and made part of this authorization. The holder will prepare a report for the Forest Service on any sensitive plant species found at the landing sites, within 30 days of the landings.
4. Wildlife Protection. ADF&G is required to maintain helicopter operation separation of at least 1,500 feet vertical and horizontal distance from observed mountain goats, and key mountain goat habitat as shown on the attached permit area map, as weather allows. The holder is requested to avoid flights near goat hunting areas (see map), also as weather permits. This action is requested to avoid disturbance of goats and hunting activities.

Special Use Permit: Enclosed for your review is the proposed special use permit that would authorize helicopter landings to continue to support Chinook surveys in the South Fork of Andrew Creek, in the Stikine-LeConte Wilderness, for the next five years (CY 2017-2021). This permit is similar to the permit signed by the Forest Supervisor in 2012. If you are agreeable to the proposed permit, it will be sent to ADF&G for their signature, and returned to us for your signature.

Please contact David Rak, Lands Special Uses and Wilderness Specialist, in Wrangell if there are any questions about the permit. Thank you for your consideration.



ROBERT J. DALRYMPLE  
District Ranger

cc: Melissa Dinsmore  
Lis Fluharty  
Karen Iwamoto

Enclosure